

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26TH DAY OF MAY 1998. /

BEFORE

THE HON'BLE MR. JUSTICE V.K. SINGHAL /

WRIT PETITION NO. 5013 OF 1994. /

BETWEEN:

M/s. Raasi Cement Ltd.,  
represented by its  
Assistant Manager,  
Sri Prasada Raju, major,  
Bellary.

. . Petitioner

(By Sri M/s. Vasani Associates for Petitioner) /

AND

1. The State of Karnataka  
represented by its  
Chief Secretary,  
Vidhana Soudha,  
Bangalore.

2. The Deputy Commissioner of  
Commercial Taxes  
(Assessments),  
Bellary.

. . Respondents

(By Smt. S. Swatha Hc up)

\* \* \*

Writ petition is filed under Article 226 of the Constitution of India with an affidavit praying to declare and strike down Section 5(3-D) of the K.S.T. Act, 1957 as violative of Art.301 of the Constitution of India and etc.,

This writ petition is coming on for orders this day, the Court made the following

O R D E R

Petitioner has a remedy of appeal looking to the controversy involved having factual aspect as well, the petitioner may file the appeal within 2 weeks from to day. If the appeal is filed in the aforesaid time, question of limitation would not be raised. The writ petition is dismissed on the ground of alternative remedy with the above observations.

Sd/- JUDGE.

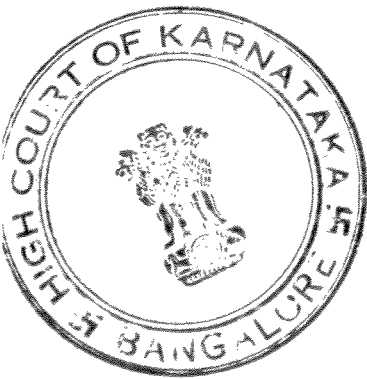
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High Court of Karnataka  
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